

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

NOV 22 2005
JOHN F. CONCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

THOMAS J. HOCKYCKO,

Plaintiff,

v.

ENTRODYNE CORP., ET.AL.,

Defendants.

CIVIL ACTION No. 6:05cv00025

ORDER

JUDGE NORMAN K. MOON

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

Adjudged and Ordered

1) that Plaintiff's Motion for Partial Summary Judgment is GRANTED and summary judgment in the amount of \$125,000 is awarded;

2) that Defendants' Motion to Dismiss is GRANTED as to Plaintiff's claims of defamation based on statements of Plaintiff's "failure to meet any reasonable measure of satisfactory performance," his "complete lack of desire to learn [Defendants'] industry and products," his "negative influence in recent months," and his "unwillingness to become more involved with the day-to-day activities of [Defendants'] company;"

3) that Defendants' Motion to Dismiss is DENIED as to Plaintiff's defamation claim based on the statement that he "misrepresented that [he was] still actively employed by

Tecumseh when [Defendant] interviewed [him] and when Des Champs offered [him] a job.”

It is so ORDERED.

The Clerk is hereby directed to send a copy of this Order and accompanying
Memorandum Opinion to all counsel of record.

ENTERED: *Nathan E. Moran*
U.S. District Judge
November 22, 2005
Date